

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

---

|  |   |                         |
|--|---|-------------------------|
| In re:   | § |                         |
|  | § | Chapter 11              |
| SURGALIGN HOLDINGS, INC., <i>et al.</i> <sup>1</sup> | § | Case No. 23-90731 (CML) |
|  | § |                         |
| Debtors.   | § | (Jointly Administered)  |
|  | § |                         |

---

**AZIYO BIOLOGICS, INC.’S WITNESS AND  
EXHIBIT LIST FOR JULY 14, 2023 HEARING**

Aziyo Biologics, Inc. (the “Aziyo”) files this Witness and Exhibit List for the hearing scheduled for July 14, 2023 at 2:00 p.m. (Central time) (or as such hearing may be continued or rescheduled, the “Hearing”).

**WITNESSES**

Aziyo may call any of the following witnesses at the Hearing, whether in person, by proffer, by telephone, or by declaration:

1. Any witness necessary to authenticate the exhibits designated herein;
2. Any witnesses called or designated by any other party; and
3. Any witnesses necessary to rebut the evidence or testimony offered or designated by any other party.

---

<sup>1</sup> The debtors in these chapter 11 cases, along with the last four digits of each debtor’s federal tax identification number (if any), are: Surgalign Holdings, Inc. (0607); Surgalign Spine Technologies, Inc. (6543); Pioneer Surgical Technology NewCo Inc.; Spinal Transition and Professional Services LLC; Andi’s Belmarall, LLC; Fourth Dimension Spine, LLC (1107); Holo Surgical Inc. (4079); and HoloSurgical Technology Inc. (0952). The location of the debtors’ service address in these chapter 11 cases is: 520 Lake Cook Road, Suite 315, Deerfield, Illinois 60015.

**EXHIBITS**

Aziyo may offer into evidence any one or more of the following exhibits at the Hearing:

| EXHIBIT | DESCRIPTION  | OFFERED | OBJECTION | ADMITTED | DATE | DISPOSITION |
|---------|--|---------|-----------|----------|------|-------------|
| 1.      | Distribution Agreement dated August 1, 2018 [Filed Under Seal ECF No. 188, Ex. A]  |         |           |          |      |             |
| 2.      | Amendment to Distribution Agreement [Filed Under Seal ECF No. 188, Ex. A-1]        |         |           |          |      |             |
| 3.      | Second Amendment to Distribution Agreement [Filed Under Seal ECF No. 188, Ex. A-2] |         |           |          |      |             |
| 4.      | Third Amendment to Distribution Agreement [Filed Under Seal ECF No. 188, Ex. A-3]  |         |           |          |      |             |
| 5.      | Quality Agreement [Filed Under Seal ECF No. 188, Ex. B]                            |         |           |          |      |             |
| 6.      | Letter Dated July 8, 2023 [ECF No. 186, Ex. C]                                     |         |           |          |      |             |
| 7.      | Any pleadings or other documents filed in these cases or any related cases         |         |           |          |      |             |
| 8.      | Any exhibits designated by any other party   |         |           |          |      |             |
| 9.      | Rebuttal and impeachment documents as appropriate                                  |         |           |          |      |             |

Aziyo asks that the Court take judicial notice of the pleadings and transcripts filed (including any and all schedules, amendments, exhibits, and other attachments thereto) in the proceedings before this Court. Aziyo reserves the right to supplement or amend this Witness and Exhibit List at any time prior to the Hearing.

*[Signature appears on the following page]*

Dated: July 14, 2023

By: /s/ David M. Posner  
**KILPATRICK TOWNSEND & STOCKTON LLP**  
Todd C. Meyers, Esq. (admitted *pro hac vice*)  
1100 Peachtree Street NE, Suite 2800  
Atlanta, GA 30309-4528  
Telephone: (404) 815-6321  
Facsimile: (404) 541-3373  
Email: tmeyers@kilpatricktownsend.com

-and-

**KILPATRICK TOWNSEND & STOCKTON LLP**  
Todd C. Meyers, Esq. (admitted *pro hac vice*)  
David M. Posner, Esq. (admitted *pro hac vice*)  
Kelly E. Moynihan, Esq. (admitted *pro hac vice*)  
The Grace Building  
1114 Avenue of the Americas  
New York, NY 10036  
Telephone: (212) 775-8700  
Facsimile: (212) 775-8800  
Email: tmeyers@kilpatricktownsend.com  
dposner@kilpatricktownsend.com  
kmoynihan@kilpatricktownsend.com

*Counsel for Aziyo Biologics, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 14th day of July 2023, a true and correct copy of the foregoing document was served by electronic transmission upon all parties eligible to receive services through this Court's CM/ECF system.

/s/ David M. Posner  
David M. Posner